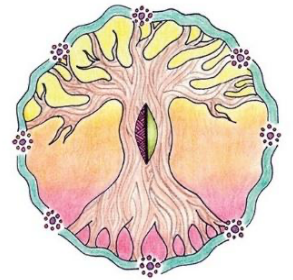


12 November 2020

Solicitors Assisting the Royal Commission
Royal Commission into Aged Care Quality and Safety



**NATIONAL ADVISORY
GROUP ON ABORIGINAL
AND TORRES STRAIT
ISLANDER AGED CARE**

RE: Responding to Counsel Assisting's final submissions

Dear Solicitors Assisting the Royal Commission,

I am writing to you in response to the Counsel Assisting's Final Submission on behalf of the National Advisory Group on Aboriginal and Torres Strait Islander Aged Care (NAGATSIAC).

The NAGATSIAC was established in May 2018 and arose out of the national consultation process to develop the Aboriginal and Torres Strait Islander Action Plans for the Commonwealth's Aged Care Diversity Framework. The Action Plans were the first-time effective recognition had been given to the specific needs of Aboriginal and Torres Strait Islander people in the national reform agenda for Australia's aged care system. The working group is funded by the Commonwealth Department of Health.

The NAGATSIAC reaches Aboriginal and Torres Strait Islander communities across all of Australia. The working group comprises providers of in-home and residential aged care services, as well as internationally recognised researchers affiliated with multiple research institutes, cross-disciplinary research projects, and health practitioners across Australia in Aboriginal and Torres Strait Islander aged care.

As Australia's First Peoples, Aboriginal and Torres Strait Islander people are entitled to equitable access to high quality and culturally safe aged care, as are all Australians. The NAGATSIAC makes an important note that the below responses and recommendations are made in relation to all Aboriginal and Torres Strait Islander people across remote, rural, regional, and metropolitan areas. All Aboriginal and Torres Strait Islander people, regardless of where they live, are entitled to the same access to high quality and culturally safe aged care assessment and service.



On the Counsel Assisting's Final Submissions, the NAGATSIAC makes the following responses:

Recommendation 1: A new Act

The NAGATSIAC welcomes the recommendation of a new aged care act and the proposed timeline for implementing this recommendation.

The development of a new Aged Care Act must not position Aboriginal and Torres Strait Islander people as a 'special needs group' afterthought, but instead have the voices of Aboriginal and Torres Strait Islander people embedded in its principles, objectives, and provisions.

The NAGATSIAC makes the following recommendations:

- i) Definitions provided in the principles, objectives, and provisions of the new Act include Aboriginal and Torres Strait Islander definitions of holistic health and wellbeing that include the centrality of culture and connection to Country and community.
- ii) Definitions of safety include cultural safety in both processes and providers.
- iii) Make explicit the safeguards and safety nets for vulnerable consumers.
- iv) That the principle of self-determination is embedded in the aged care system policies ensuring Elders are afforded the choice to be assessed and provided services by local Community Controlled Organisations.
- v) That assessment, service provision and advocacy and complaint mechanisms are culturally safe, and trauma informed.

Recommendation 4: Age Care Advisory Council

The NAGATSIAC makes the following recommendation:

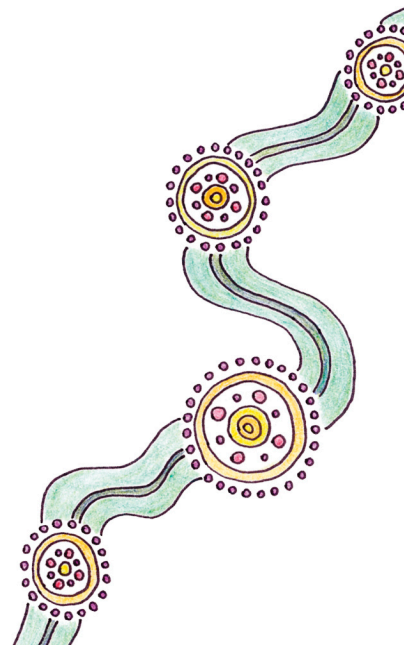
- i) The Aged Care Advisory Council have minimum requirements for Aboriginal and Torres Strait Islander membership.

Recommendation 8: A New Aged Care Program

A common mainstream aged care assessment process risks not being effective in identifying the support needs of older Aboriginal and Torres Strait Islander people. As highlighted in the NAGATSIAC's *Our Care. Our Way. Background Paper* (2020) aged care system reform must accommodate the vulnerabilities and needs of older Aboriginal and Torres Strait Islander people at every stage, from application and assessment to service delivery.

The NAGATSIAC makes the following recommendations:

- i) Effective aged care assessments for Aboriginal and Torres Strait Islander people are culturally safe in terms of the process but assessors must also be culturally safe and build trust and rapport with the person being assessed.



- ii) The design of common assessment criteria, frameworks and processes for Aboriginal and Torres Strait Islander people be led by Aboriginal and Torres Strait Islander people.
- iii) Embed the principle of self-determination into the aged care system, in particular that Elders are afforded the choice to be assessed and provided services by local Community Controlled Organisations.

Recommendation 10: Care finders to support navigation of aged care

The NAGATSIAC makes the following recommendation:

- i) Elders require culturally safe and trauma informed navigation support staff, to have equitable access to services.

Recommendation 12: A single comprehensive assessment process

The NAGATSIAC makes the following recommendations:

- i) Assessments be designed in consultation with Aboriginal and Torres Strait Islander service providers and communities and specifically tailored to ensure that assessment processes are accessible and can meet the needs of Aboriginal and Torres Strait Islander people.
- ii) Revision of *Recommendation 12.1(a)* to ensure Aboriginal and Torres Strait Islander people have access to assessment and services from Community Controlled Organisations.

Recommendation 14: Approved provider's responsibility for care management

The NAGATSIAC makes the following recommendation:

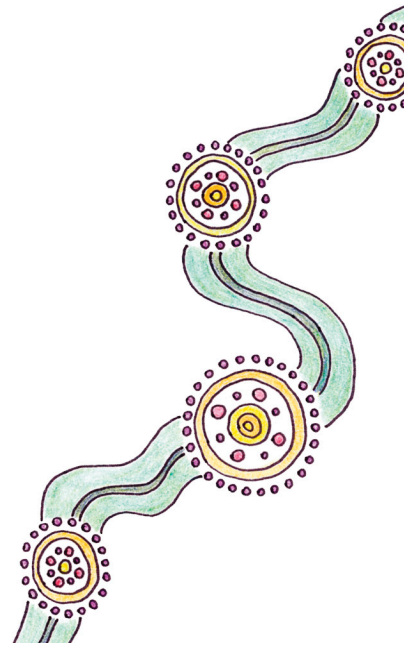
- i) Aboriginal Health Practitioners are registered with AHPRA and Aboriginal Health Practitioners with relevant qualifications should have the option to practise as case managers.

Recommendation 19: Designing for diversity:

Mandatory cultural safety training which is tailored to local cultural protocols and is of high quality is extremely welcome.

The NAGATSIAC makes the following recommendation:

- i) Training requirements be implemented in conjunction with enabling the establishment of an economically viable and stable Aboriginal and Torres Strait Islander workforce.



Recommendation 25: Priority issues for periodic review of the Aged Care Quality Standards

The NAGATSIAC makes the following recommendation:

- i) To support the Diversity Framework and the associated Action Plans, robust evaluation and accountability mechanisms should be developed through the strengthening of the Aged Care Quality Standards.
- ii) The addition of a stand-alone cultural safety standard in the Quality Assessment Framework.

Recommendation 30: Quality indicators

It is imperative that the quality of life tool used for Elders is culturally safe and trauma-informed in order to be effective.

The NAGATSIAC makes the following recommendation:

- i) The adoption of the 'Good Spirit Good Life Assessment Package', which was developed and recently launched by the University of Western Australia.

Recommendation 32: Aboriginal and Torres Strait Islander service arrangements within the new aged care system

The NAGATSIAC welcomes the Royal Commission's recognition that aged care services for Aboriginal and Torres Strait Islander people must be tailored to need, including cultural needs and wellbeing.

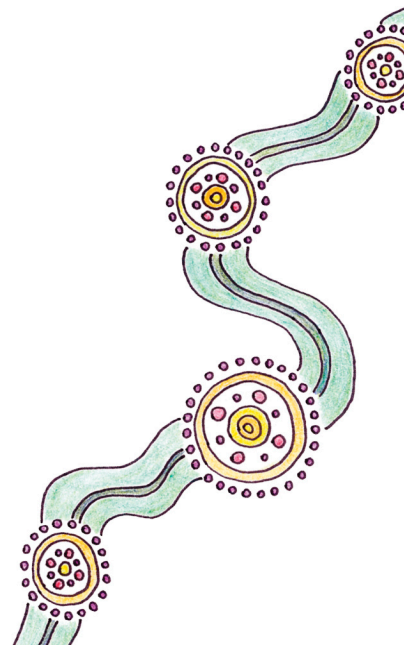
The NAGATSIAC additionally welcomes the Royal Commission's recognition that culturally safe services are best provided by Community Controlled service providers and that Aboriginal and Torres Strait Islander people have a right to choose services from these providers.

Recommendation 33: An aged Care Commissioner within the Australian Aged Care Commission with oversight of Aboriginal and Torres Strait Islander aged care

The appointment of an Aboriginal and Torres Strait Islander Commissioner to the Aged Care Quality and Safety Commission is an important and welcome recommendation.

Recommendation 34: Cultural safety

The recommendation for cultural safety training is a necessary one, however, the NAGATSIAC would highlight that training alone is not a sufficient mechanism to ensure culturally safe services.



NAGATSIAC makes the following recommendations:

- i) Training requirements be implemented in conjunction with enabling the establishment of an economically viable and stable Aboriginal and Torres Strait Islander workforce.
- ii) The requirement to have progressed the implementation of the action plan must be subject to robust key performance indicators.
- iii) An 'advanced stage of implementation' of the Action Plan should include clear criteria
- iv) Community Controlled Organisations are best placed to provide assessments and broker relationships between mainstream assessment teams and Aboriginal assessment staff in Community Controlled Organisations

Recommendation 36: Employment and Training for Aboriginal and Torres Strait Islander aged care

The NAGATSIAC is pleased and welcomes support for the National Aboriginal and Torres Strait Islander Aged Care Workforce Strategy. Increasing the Aboriginal and Torres Strait Islander workforce both horizontally and vertically across the sector is key to delivering culturally safe services. It is the hope of the NAGATSIAC that the Workforce Strategy will be supported through resources and Commonwealth engagement to ensure the full implementation of the recommendations, as this has been an area of difficulty for previous and current strategies.

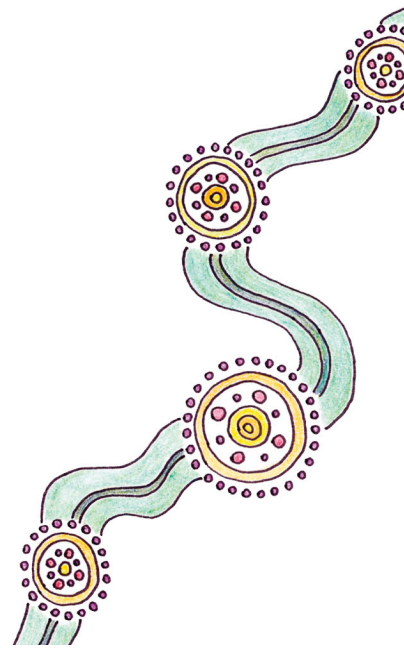
Recommendation 38: Program streams

NAGATSIAC strongly supports accessibility of funding which is flexible and can be pooled for home and community care, and residential and respite care. Currently the National Aboriginal and Torres Strait Islander Flexible Aged Care Program (NATSIFACP) delivers this kind of flexible funding, however it has been largely concentrated in remote areas.

The NAGATSIAC makes the following recommendations:

- i) The expansion of funding that provides comparable or expanded flexibility to NATSIFACP with increased funding levels.
- ii) The expansion of this type of funding beyond remote areas to meet the needs of vulnerable Aboriginal and Torres Strait Islander People in rural, regional and metropolitan areas.

The NAGATSIAC commends and thanks the Royal Commission on its engagement with us and the above recommendations. We look forward to the final report from the Royal Commission that promotes and responds to the rights and aged care needs of older Aboriginal and Torres Strait people.



Sincerely,

A handwritten signature in black ink, appearing to read 'Jody Currie', written in a cursive style.

Jody Currie, CEO
Aboriginal and Torres Strait Islander Community Health Service
On behalf of the NAGATSIAC

